

ervations of Department of the Interior by Ex. Ord. No. 6166. Name of latter office changed to “National Park Service” by act Mar. 2, 1934.

Office of Public Buildings and Grounds under Chief of Engineers abolished and functions of Chief of Engineers and of Secretary of War with respect thereto transferred to Director of Public Buildings and Public Parks of National Capital by act Feb. 26, 1925.

Except as otherwise provided in Reorg. Plan No. 3 of 1967, functions of Board of Commissioners of District of Columbia transferred to Commissioner of District of Columbia by section 401 of Reorg. Plan No. 3 of 1967. Office of Commissioner of District of Columbia, as established by Reorg. Plan No. 3 of 1967, abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, §711, Dec. 24, 1973, 87 Stat. 818, and replaced by office of Mayor of District of Columbia by section 421 of Pub. L. 93-198. Accordingly, “Mayor” substituted in text for “commissioners”.

Section 402(181) of Reorganization Plan No. 3 of 1967, 32 F.R. 11669, set out in the Appendix to Title 5, Government Organization and Employees, transferred regulatory and other functions of Board of Commissioners relating to transfer of jurisdiction over properties or parts of properties to Federal authorities, and accepting from Federal authorities jurisdiction over properties or parts thereof under this section, to District of Columbia Council, subject to right of Commissioner as provided by section 406 of the Plan. For provisions establishing District of Columbia Council, see section 201 of the Reorg. Plan No. 3 of 1967.

## §§ 80, 81. Omitted

### CODIFICATION

Section 80, acts July 1, 1898, ch. 543, §6, 30 Stat. 571; Feb. 26, 1925, ch. 339, §3, 43 Stat. 983, related to authority to make regulations for care of public grounds.

Section 81, acts Mar. 4, 1909, ch. 299, 35 Stat. 994; Feb. 26, 1925, ch. 339, §3, 43 Stat. 983, related to authority to make regulations for care of sidewalks.

## § 82. Public spaces resulting from filling of canals under jurisdiction of Director

All public spaces resulting from the filling of canals in the original city of Washington not under the jurisdiction of the Director of the National Park Service as of August 1, 1914, except such portions as are included in the navy yard or in actual use as roadways and sidewalks, and except the portions assigned by law to the District of Columbia for use as a property yard and the location of a sewage pumping station, respectively, are placed under the jurisdiction of the Director of the National Park Service and shall be laid out as reservations as a part of the park system of the District of Columbia.

(Aug. 1, 1914, ch. 223, 38 Stat. 633; Feb. 26, 1925, ch. 339, §3, 43 Stat. 983; Ex. Ord. No. 6166, eff. June 10, 1933; Mar. 2, 1934, ch. 38, 48 Stat. 389.)

### CODIFICATION

Section is based on Sundry Civil Appropriation Act Aug. 1, 1914, fiscal year 1915.

### TRANSFER OF FUNCTIONS

For transfer of functions from Chief of Engineers of United States Army to Director of National Park Service by act Feb. 26, 1925, Ex. Ord. No. 6166, and by act Mar. 2, 1934, see note set out under section 73 of this title.

## §§ 83 to 88. Omitted

### CODIFICATION

Section 83, act Sept. 27, 1890, ch. 1001, §1, 26 Stat. 492, related to establishment of Rock Creek Park in District of Columbia.

Section 84, acts Sept. 27, 1890, ch. 1001, §7, 26 Stat. 495; July 1, 1918, ch. 113, 40 Stat. 650; Feb. 26, 1925, ch. 339, §3, 43 Stat. 983, related to control and regulation of Rock Creek Park in District of Columbia.

Section 85, act July 1, 1918, ch. 113, 40 Stat. 650, related to Piney Branch Parkway part of park system in District of Columbia.

Section 86, act Mar. 3, 1897, ch. 375, 29 Stat. 624, related to establishment of Potomac Park in District of Columbia.

Section 87, acts Aug. 1, 1914, ch. 223, 38 Stat. 634; Feb. 26, 1925, ch. 339, §3, 43 Stat. 983, related to control of Potomac Park in District of Columbia.

Section 88, act Aug. 1, 1914, ch. 223, 38 Stat. 634, related to restriction on construction of lagoon or speedway in Potomac Park in District of Columbia.

## § 89. Potomac Park; temporary occupancy by Department of Agriculture

The Director of the National Park Service is authorized to grant permission to the Department of Agriculture for the temporary occupation of such area or areas of Potomac Park, not exceeding a total of seventy-five acres in extent, as may not be needed in any one season for the reclamation or park improvement, the said areas to be used by the Department of Agriculture as testing grounds: *Provided*, That nothing herein contained shall be construed to change the essential character of the lands so used, which lands shall continue to be a public park, as provided in section 86 of this title: *And provided further*, That said area or areas shall be vacated by the Department of Agriculture at the close of any season upon the request of the said director: *And provided further*, That the entire park shall remain under the charge of the said director.

(Mar. 3, 1899, ch. 458, §2, 30 Stat. 1378; Feb. 26, 1925, ch. 339, §3, 43 Stat. 983; Ex. Ord. No. 6166, §2, eff. June 10, 1933; Mar. 2, 1934, ch. 38, 48 Stat. 389.)

### REFERENCES IN TEXT

Section 86 of this title, referred to in text, was omitted from the Code.

### TRANSFER OF FUNCTIONS

Duties imposed upon Secretary of War in relation to grounds, parks, etc., in District of Columbia transferred to Director of Public Buildings and Public Parks of National Capital by act Feb. 26, 1925.

Office of Public Buildings and Public Parks of National Capital abolished and its functions transferred to Office of National Parks, Buildings, and Reservations of Department of the Interior by Ex. Ord. No. 6166. Name of latter office changed to “National Park Service” by act Mar. 2, 1934.

## § 90. Omitted

### CODIFICATION

Section, act May 27, 1908, ch. 200, 35 Stat. 355, related to licenses for boathouses on banks of tidal reservoir on Potomac River in District of Columbia.

## § 91. Repealed. Mar. 4, 1925, ch. 556, 43 Stat. 1323

Section, act June 12, 1917, ch. 27, 40 Stat. 133, related to Tidal Basin bathing beach.

## §§ 92 to 99. Omitted

### CODIFICATION

Section 92, act Mar. 4, 1913, ch. 147, §22, 37 Stat. 885, related to reimbursement to United States of part of

cost of construction of parkway connecting Potomac Park with Zoological Park and Rock Creek Park in District of Columbia.

Section 92a, act Mar. 2, 1929, ch. 542, 45 Stat. 1523, related to boundaries of parkway connecting Potomac Park with Zoological and Rock Creek Parks in District of Columbia.

Section 93, acts Mar. 4, 1913, ch. 150, 37 Stat. 971; Aug. 1, 1914, ch. 223, 38 Stat. 625; Feb. 26, 1925, ch. 339, § 3, 43 Stat. 983, related to small parks at certain street intersections in District of Columbia.

Section 94, act Aug. 31, 1918, ch. 164, 40 Stat. 950, 951, related to designation of Anacostia Park in District of Columbia.

Section 95, act June 6, 1924, ch. 271, § 1, 43 Stat. 464, related to boundaries of Glover Parkway and Children's Playground in District of Columbia.

Section 96, act June 6, 1924, ch. 271, § 2, 43 Stat. 464, related to designation of Glover Parkway and Children's Playground as part of park system of District of Columbia.

Section 97, acts May 18, 1910, ch. 248, 36 Stat. 383; Feb. 26, 1925, ch. 339, § 3, 43 Stat. 983, related to jurisdiction over reservation number 185 in District of Columbia.

Section 98, act Mar. 3, 1903, ch. 1007, 32 Stat. 1122, related to use of public grounds for playgrounds in District of Columbia.

Section 99, act May 27, 1908, ch. 200, 35 Stat. 355, related to licenses for temporary structures on reservations used as playgrounds in District of Columbia.

#### § 100. Part of Washington Aqueduct for playground purposes

The Chief of Engineers is authorized to transfer for playground purposes the possession, use, and control of all that portion of the land of the Washington Aqueduct adjacent to the Champlain Avenue pumping station and lying outside of the fence around said pumping station existing on August 31, 1918, to the control and jurisdiction of the Mayor of the District of Columbia. Nothing in this section shall be construed as affecting the superintendence and control of the Secretary of the Army over the Washington Aqueduct, its rights, appurtenances, and fixtures connected with the same.

(Aug. 31, 1918, ch. 164, 40 Stat. 951; 1967 Reorg. Plan No. 3, § 401, eff. Nov. 3, 1967, 32 F.R. 11669, 81 Stat. 951; Pub. L. 93-198, title IV, § 421, Dec. 24, 1973, 87 Stat. 789.)

#### CODIFICATION

Section is based on District of Columbia Appropriation Act of Aug. 31, 1918.

#### TRANSFER OF FUNCTIONS

Except as otherwise provided in Reorg. Plan No. 3 of 1967, functions of Board of Commissioners of District of Columbia transferred to Commissioner of District of Columbia by section 401 of Reorg. Plan No. 3 of 1967. Office of Commissioner of District of Columbia, as established by Reorg. Plan No. 3 of 1967, abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, § 711, Dec. 24, 1973, 87 Stat. 818, and replaced by office of Mayor of District of Columbia by section 421 of Pub. L. 93-198. Accordingly, "Mayor" substituted in text for "commissioner".

Department of War designated Department of the Army and title of Secretary of War changed to Secretary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces" which in sections 3010 to 3013 continued Department of the Army under administrative supervision of Secretary of the Army.

#### § 101. Laws of District extended to public buildings and grounds

The provisions of the several laws and regulations within the District of Columbia for the protection of public or private property and the preservation of peace and order are extended to all public buildings and public grounds belonging to the United States within the District of Columbia. Any person guilty of disorderly and unlawful conduct in or about the same, or who shall willfully injure the buildings or shrubs, or shall pull down, impair, or otherwise injure any fence, wall, or other inclosure, or shall injure any sink, culvert, pipe, hydrant, cistern, lamp, or bridge, or shall remove any stone, gravel, sand, or other property of the United States, or any other part of the public grounds or lots belonging to the United States in the District of Columbia shall be fined not more than \$500, or imprisoned not more than six months, or both.

(July 29, 1892, ch. 320, § 15, 27 Stat. 325; Pub. L. 90-108, § 2, Oct. 20, 1967, 81 Stat. 277.)

#### PRIOR PROVISIONS

Provisions similar to those comprising this section were contained in former section 192 of this title.

#### AMENDMENTS

1967—Pub. L. 90-108 substituted "shall be fined not more than \$500, or imprisoned not more than six months, or both" for "shall, upon conviction thereof, be fined not more than \$50".

#### VIOLATIONS PRIOR TO 1967 AMENDMENT

For prosecution of violations of this section prior to enactment of Pub. L. 90-108, see section 3 of Pub. L. 90-108, set out as an Effective Date of 1967 Amendment note under section 193a of this title.

#### BOARD OF METROPOLITAN POLICE

Duties and authority of former Board of Metropolitan Police of District of Columbia, for police purposes, were extended to all public squares and places, and authorizing and requiring Board to make appropriate rules and regulations in relation thereto, by act Mar. 3, 1875, ch. 130, 18 Stat. 385, and repeated in act July 31, 1876, ch. 246, 19 Stat. 110, and act Mar. 3, 1877, ch. 105, 19 Stat. 346. Powers and duties exercised by Board transferred to Commissioners of District of Columbia by act June 11, 1878, ch. 180, § 6, 20 Stat. 107.

#### SPECIAL POLICEMEN

The provision of act Oct. 26, 1942, ch. 629, title II, 56 Stat. 1000, which related to designation by Commissioner of Public Buildings of employees of Public Buildings Administration as special policemen without compensation during continuance of unlimited national emergency declared by President on May 27, 1941, was repealed, effective July 1, 1948, by Joint Res. July 25, 1947, ch. 327, § 2(a), 61 Stat. 451.

#### § 102. Ailanthus trees prohibited

No more ailanthus<sup>1</sup> trees shall be purchased for or planted in the public grounds.

(R.S. § 1830.)

#### CODIFICATION

R.S. § 1830 derived from act Mar. 3, 1853, ch. 97, § 1, 10 Stat. 207.

<sup>1</sup> So in original. Probably should be "ailanthus".